

MINUTES

City of Franklin, Indiana BOARD OF ZONING APPEALS

August 5, 2015

Members Present:

Tim Holmes	President
Phil Barrow	Vice-President
Jim Martin	Secretary
Brian Alsip	Member
Rev. Richard Martin	Member

Others Present:

Alex Getchell	Associate Planner
Joanna Myers	Senior Planner
Lynn Gray	Legal Counsel
Julie Spate	Recording Secretary

Call to Order:

Tim Holmes called the meeting to order at 7:01 p.m.

Approval of Minutes:

Richard Martin made a motion to approve the July 1, 2015 minutes as submitted. Jim Martin seconded the motion. The members voted to approve the minutes.

Swearing In:

Lynn Gray swore in the audience en masse.

Old Business:

ZB 2015-09 (V) – 975 E. 125 S. – WITHDRAWN:

Alex Getchell stated this case was withdrawn last week.

New Business:

ZB 2015-10 (V) – Meijer Store:

Alex Getchell introduced that this case is a petition for developmental standards variances from Woolpert, Inc. on behalf of Meijer. The property is west of North Morton Street between Commerce Drive to the north and Simon Road to the south.

- (1.) Article 5, Chapter 4 Architectural Standards (Roof Design) - W
- (2.) Article 5, Chapter 4 Architectural Standards (Display Windows) – N, E, S
- (3.) Article 5, Chapter 4 Sidewalks & Pedestrian Walkways (Walkways along façades) – E

- (4.) Article 7, Chapter 19 Large Scale Retail Architectural Standards (Display Windows) – N, E, S
- (5.) Article 7, Chapter 19 Large Scale Retail Architectural Standards (Entrances) – N
- (6.) Article 7, Chapter 19 Large Scale Retail Architectural Standards (Detail Features) – N, S, W
- (7.) Article 7, Chapter 19 Large Scale Retail Architectural Standards (Recesses / Projections) – N, E
- (8.) Article 7, Chapter 19 Large Scale Retail Architectural Standards (Canopies) – N

Mr. Getchell highlighted that items nine and 10 as originally submitted have been requested by the petitioner to be withdrawn.

- (9.) Article 8, Chapter 3 Non-Residential Sign Standards (Maximum Total Signage Area)
- (10.) Article 8, Chapter 3 Non-Residential Sign Standards (Maximum Wall Sign Area)

The property is in the MXR and Gateway Overlay (GW-OL) zoning districts.

Mr. Getchell stated variances are needed because:

- (1.) GW-OL district requires rooftop mechanical equipment to be screened on all four sides and the petitioner is requesting relief from the west façade.
- (2.) GW-OL district also requires that display, faux or decorative windows be provided for 60% of the length of facades along pedestrian walkways. This request is for the north, east and south facades.
- (3.) GW-OL district requires walkways along the facades of buildings to be separated from the building by a landscape area, including benches & seating areas, at least 5' wide for 50% of the length.
- (4.) Large Scale Retail Architectural Standards require display, faux or decorative windows be provided for 60% length of facades along pedestrian walkways. This is again for the north, east and south facades.
- (5.) Large Scale Retail Architectural Standards require a customer entrance on each of the front facades. The petitioner is proposing to not have a customer entrance along Commerce Drive.
- (6.) Large Scale Retail Architectural Standards require at least three architectural detail features, out of a choice of five options, be incorporated into the design of each façade of the building. The petitioner is proposing to vary from this standard on the north, south and west sides of the building. Mr. Getchell explained that with some revisions petitioner provided just today, they no longer need to vary from the standard on the north façade.
- (7.) Large Scale Retail Architectural Standards require recesses and projections on front façade walls at least 20 feet long but not more than 70 feet long and that they have a relief of at least eight inches. The petitioner is asking to vary from this standard on the north and east façade walls. However, with revisions received, the standard may be met on the north façade. Mr. Getchell will ask petitioner to clarify this.
- (8.) Large Scale Retail Architectural Standards require arcades, covered walkways, architectural awnings, canopies, or porticoes be incorporated into the design of front facades. The north and east facades are required to meet this standard. Mr. Getchell stated that with receipt of today's revisions, this variance would no longer be necessary.

Mr. Getchell reiterated that variances listed as nine and 10 have been withdrawn.

The application is complete and the public notification requirements have been met.

Ms. Gray asked Mr. Getchell to review any changes to the staff report at this time. Mr. Getchell confirmed that all is the same except for the withdrawal of items nine and 10 and number eight is no longer necessary. Number six is only necessary for the south and west facades. Ms. Gray also confirmed that the petitioner is asking that their revised submittal be what is considered tonight. Mr. Sheidler confirmed that it was.

Mr. Holmes asked Ms. Gray if the petitioner can reapply for the variances that have been withdrawn, and they can since no action is being taken. Mr. Getchell explained that there is a three-month waiting period before resubmittal is allowed.

Ms. Gray asked if staff's recommendation is altered in any way due to the revised plan presented. Mr. Getchell confirmed that it does change. Originally staff recommended denial of variances two, three, four, six and seven. Staff is now supportive of number two, three, four, six for south and west facades, number seven for east facade and numbers eight, nine and 10 are withdrawn. Mr. Sheidler confirmed the petitioner's intent to meet standards for number seven on the north façade.

Mr. Holmes asked how to approach. Ms. Gray stated that the board could indicate their approval of the requests based on staff findings or identify what facts the petitioner has not met. Mr. Holmes asked the Board members if they had any specific questions.

John Sheidler from Woolpert presented on behalf of Meijer. Mr. Scheidler offered thanks to the staff and Board for accepting the last minute changes and working with them.

(1.) Article 5, Chapter 4 Architectural Standards (Roof Design)

Mr. Sheidler stated the petitioner is requesting to not screen the rooftop equipment. It is screened from the south, east and north sides, but is difficult to construct screening from the rear of the store. The equipment is set back from the west roofline about 80 feet. The west wall is the rear utility wall, has a proposed 8 foot tall screen wall and also has significant landscaping along it.

(2.) Article 5, Chapter 4 Architectural Standards (Display Windows)

(4.) Article 7, Chapter 19 Large Scale Retail Architectural Standards (Display Windows)

Mr. Sheidler stated the architect has made a recent update to add windows to the north façade. He said this façade contains no customer entrances or pavement. It is against landscaping. The south elevation facing Simon has generous landscaping and the garden center provides visual breaks. There is not a practical place to add windows along the garden center. The front does not quite meet the 60% requirement for windows along the length, however the tall glass entrances provide a large glass surface area.

(3.) Article 5, Chapter 4 Sidewalks & Pedestrian Walkways (Walkways along façades)

Mr. Sheidler stated two raised planters of five feet of landscaping and 40' long bench walls would provide both the landscaping and customer sitting area.

(5.) Article 7, Chapter 19 Large Scale Retail Architectural Standards (Entrances)

Mr. Sheidler stated there is no pavement on the north façade facing Commerce Drive. There is no intended customer or employee access to the store on that side of the building. It could cause security issues as well.

For the front façade walls covering points numbered six through eight, previously discussed includes the added projections, windows and canopies over the windows on the north elevation and the front elevation includes several features enhancing that façade.

(6.) Article 7, Chapter 19 Large Scale Retail Architectural Standards (Detail Features)

(7.) Article 7, Chapter 19 Large Scale Retail Architectural Standards (Recesses / Projections)

(8.) Article 7, Chapter 19 Large Scale Retail Architectural Standards (Canopies)

Mr. Getchell clarified that the canopies is not a needed variance anymore. Further, the north façade on numbers six, seven and eight complies so the only variances needed is south and west facades for number six, east façade for number seven and no variance is now needed for number eight.

Ms. Gray asked Mr. Sheidler to review the detail features for the south and west sides. Mr. Sheidler explained on the south elevation where the garden center is, there is a brick knee wall provided along the edge of the garden center with a decorative fence on top of it. Mr. Getchell explained that the detail standard includes five different items from which any three are to be chosen. The chosen items have to be provided every 100' along the façade. The five options are color change, texture change, material change, architectural change or story change. Petitioner explained that on the back side of the building are the truck docks and service drive not facing any streets and no public access. There is landscaping around the detention pond and an eight foot screen wall along the west side of the property, so there wasn't a need for architectural enhancements along that façade.

Mr. Holmes asked if anyone had questions or if there were any remonstrators. There were none. Rev. Martin appreciates staff and petitioner's hard work on this.

Mr. Getchell stated staff is recommending approval of remaining variances listed with the following conditions: The building elevation needs to be consistent with the revised elevations received today. Also it be consistent with the planter/seating exhibit as provided by the petitioner today with two planters a minimum of 40' long. Ms. Gray asked the petitioner if he was in agreement with the staff recommendations and Mr. Sheidler stated he was.

Action taken on ZB 2015-10 (V) – Meijer Store:

As it relates to case ZB 2015-10, a motion was made by Phil Barrow to approve the following variances with staff's recommendations for conditions:

- (1.) Article 5, Chapter 4 Architectural Standards (Roof Design) on the west elevation.
- (2.) Article 5, Chapter 4 Architectural Standards (Display Windows) on the north, east and south elevations.
- (3.) Article 5, Chapter 4 Sidewalks and Pedestrian Walkways (Walkways along facades) on the east elevation.
- (4.) Article 7, Chapter 19 Large Scale Retail Architectural Standards (Display Windows) on the north, east and south.
- (5.) Article 7, Chapter 19 Large Scale Retail Architectural Standards (Entrances) on the north elevation.
- (6.) Article 7, Chapter 19 Large Scale Retail Architectural Standards (Detail Features) on the south and west.
- (7.) Article 7, Chapter 19 Large Scale Retail Architectural Standards (Recesses/Projections) on the east.

Second was made by Jim Martin. The motion passed.

ZB 2015-11 (V) – Meijer Fuel Center:

Mr. Getchell introduced this case as presented in a timely manner and that it is presented by Woolpert, Inc. on behalf of Meijer. The property is west of North Morton Street between Commerce Drive to the north and Simon Road to the south. The petition is for developmental standards variances from:

- (1.) Article 5, Chapter 4 Architectural Standards (Entry Features) – East façade. With revisions this may now be met. The Board will need to address the petitioner about this.
- (2.) Article 5, Chapter 4 Architectural Standards (Display Windows) – North façade.
- (3.) Article 5, Chapter 4 Sidewalks & Pedestrian Walkways (Walkways along façades) – North and east facades.

This property is also in the Mixed Use, Regional Center (MXR) and Gateway Overlay (GW-OL) districts.

Mr. Getchell stated variances are needed because:

- (1.) The GW-OL district standards require at least three detail features, out of a choice of five options, be incorporated into the design of the main entrance.
- (2.) GW-OL district also requires display/faux/decorative windows be provided for 60% of the length of facades along pedestrian walkways, and the petitioner is proposing none along the north façade.
- (3.) The GW-OL district requires walkways along the facades of buildings be separated from the building by a landscape area, including benches & seating areas, at least 5' wide for 50% of the length.

Mr. Getchell stated that variances listed as four and five have been withdrawn.

The application is complete and the public notification requirements have been met.

Mr. Holmes confirmed that under consideration are items one through three and that number one may be resolved. Mr. Getchell stated that is correct.

Ms. Gray asked if Mr. Getchell could ask the petitioner if number one has been met. Mr. Getchell explained that previously the petitioner had only provided for one of the three required detail features. On the newly received revisions they have added enhanced lighting features in wall sconces on two sides of the front façade and as a third they can add architectural detail such as tile or molding incorporated into the design. Ms. Gray confirmed that if these things are done, this variance is no longer needed and asked the petitioner to address the question.

The petitioner sought clarification if the cornice would suffice as detail number three. Joanna Myers stated no as the raised cornice needs to be over the door and not on the sides as presented. Petitioner confirmed the architect's intent to provide the architectural tile work for the third requirement, so this variance would not be needed.

Mr. Barrow sought clarification on the remaining requests. Mr. Getchell clarified the question for number two being windows along the north façade and number three for having the landscape area between the sidewalk and the building on the north and east.

Petitioner explained their variance requests as follows:

(2.) Article 5, Chapter 4 Architectural Standards (Display Windows)

The request is for not providing display windows on the north facade because that portion of the walkway is for access to a utility door and overflow employee parking. It is also a short facade. Mr. Holmes asked how much window is required. Mr. Getchell stated 60% is required. Mr. Barrow queried as to what could be seen in the store if windows were provided. Due to interior storage and shelf space and exterior placement of an ice machine, the windows seem inappropriate.

(3.) Article 5, Chapter 4 Sidewalks & Pedestrian Walkways (Walkways along façades)

Petitioner maintains that due to the nature of a fuel center, this would not be a used feature and would have some negative fall out with cars so close, would impede traffic, is difficult for maintenance and upkeep and under canopy would prevent natural light for landscaping, so petitioner feels it a better design to exclude this feature.

Mr. Holmes called for questions. There were none. Mr. Holmes asked if there was anyone who wanted to speak for or against this petition. There were none. Mr. Holmes called for the staff report.

Mr. Getchell stated staff recommends approval of petitions listed as two and three, as outlined in the original staff report.

Mr. Holmes asked for any questions. Mr. Holmes clarified that these two items were not based on any changes but stayed as originally submitted.

Action taken on ZB 2015-11 (V) – Meijer Fuel Center:

A motion was made by Jim Martin to approve case ZB 2015-11 as amended for the variances listed as number two and three, and with staff recommendation.

(2.) Architectural Standards (Display Windows) – North façade only

(3.) Sidewalks & Pedestrian Walkways (Pedestrian Walkways along facades)

A second was made by Mr. Barrow. The motion carried.

Other:

None

Adjournment:

There being no further business, the meeting was adjourned at 7:56.

Respectfully submitted this 2nd day of September, 2015.

Tim Holmes, Chairman

Jim Martin, Secretary